

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**

SONY MUSIC ENTERTAINMENT, *et al.*,

Plaintiffs,

v.

COX COMMUNICATIONS, INC., *et al.*,

Defendants.

Case No. 1:18-cv-00950-LO-JFA

**STIPULATION REGARDING CONSOLIDATED BRIEFING
ON PLAINTIFF'S MOTIONS TO STRIKE FILED IN CONNECTION WITH
THE PARTIES' SUMMARY JUDGMENT MOTIONS**

WHEREAS, on August 30, 2019, the Parties filed cross motions for summary judgment. ECF Nos. 312, 328.

WHEREAS, on September 24, 2019, Plaintiffs filed a Motion to Strike Portions of the Declaration of Thomas Kearney filed in support of Cox's Motion for Summary Judgment. ECF No. 388 ("Plaintiffs' First Strike Motion").

WHEREAS, on October 3, 2019, Plaintiffs filed a Motion to Strike the Thomas Patrick Lane Declaration and Portions of the Declaration of Thomas Kearney filed in support of Cox's opposition to Plaintiffs' Motion for Summary Judgment. ECF No. 420 ("Plaintiffs' Second Strike Motion" and collectively with Plaintiffs' First Strike Motion, the "Strike Motions).

WHEREAS, the issues raised in the Strike Motions materially overlap.

WHEREAS, a hearing on both Strike Motions has been set for October 24, 2019, in conjunction with the Parties' Summary Judgment and Daubert Motions. See ECF Docket Minute Entries October 4 and 7, 2019.

WHEREAS, for judicial and party efficiency, the Parties desire to consolidate opposition and reply briefing on the Strike Motions.

IT IS HEREBY STIPULATED AND AGREED by and between Plaintiffs and Cox that:

1. Cox shall file by 5 pm EST on Monday, October 14, 2019 one consolidated brief in opposition to the Strike Motions.
2. Plaintiffs shall file by 5 pm EST on Monday, October 21, 2019 one consolidated reply brief in response to Cox's opposition to the Strike Motions.

Dated: October 7, 2019

Respectfully submitted,

/s/ Scott A. Zebrak

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[PROPOSED] ORDER

IT IS HEREBY ORDERED that in connection with Plaintiffs Motions to Strike (ECF Nos. 388, 420) filed in connection with the parties' Summary Judgment Motions, the following briefing schedule shall apply:

3. Cox shall file one consolidated brief in opposition to the Strike Motions by 5 pm EST on Monday, October 14, 2019.
4. Plaintiffs shall file one consolidated reply brief in response to Cox's opposition to the Strike Motions by 5 pm EST on Monday, October 21, 2019.

ENTERED this _____ day of _____, 2019

Alexandria, Virginia

The Honorable Liam O'Grady
United States District Judge
Eastern District of Virginia